

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

ORDER

S.B. CIVIL WRIT PETITION NO. 2468/2006
(Subhash Monga Vs. State of Rajasthan & Anr.)

Date of Order : 02/01/2007

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. Sridhar Purohit for the petitioner
Mr. Rameshwar Dave, Dy. Govt. Advocate for the respondents.

BY THE COURT:-

By the instant writ petition, the petitioner has challenged the order Annex.13 dated 21.4.2006 passed by Chief Engineer (Rural) Public Health Engineering Department, Jaipur, by which the petitioner has been placed under suspension.

I have heard learned counsel for the parties.

The order of suspension is appealable under Rule 22 of the Rajasthan Civil Services (Classification, Control & Appeal) Rules, 1958 which provides that a Govt. servant may appeal against an order of suspension to the authority to which the authority which made or is deemed to have made the order, is immediately subordinate. In view of the fact that alternative remedy of appeal is available and without exhausting remedy of

appeal, the petitioner has filed the instant writ petition, therefore the writ petition is dismissed as not maintainable. However, it will be open for the petitioner to challenge the order impugned dated 21.4.2006 by way of appeal and if the petitioner files an appeal within fifteen days from today before the appellate authority, the same may be decided utmost expeditiously.

(H.R.PANWAR),J.

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